

**C. WHEN IS A RESOURCE AVAILABLE?****WAC 388-470-0015 Availability of resources.**

- (1) A resource is considered available when a cash, TANF/SFA-related medical or food assistance program client has:
  - (a) Actual title;
  - (b) Control over and can legally dispose of it; and
  - (c) The ability to transfer it to a buyer or convert it into cash.
- (2) Only resources that are actually available will affect eligibility. However, for cash assistance only, the client must take reasonable action to make the resource available.
- (3) A client may provide evidence that a resource is unavailable.
- (4) For medical programs a resource is considered unavailable when the client or spouse:
  - (a) Does not own the resource;
  - (b) Does not have the authority to convert the resource to cash;
  - (c) Is legally restricted from using the resources for the person's support and maintenance;
  - (d) Cannot convert the resource to cash within twenty work days; and
  - (e) Makes a reasonable effort to convert noncash resources to cash.
- (5) Resources of persons residing in a shelter for battered women and children are not considered available when:
  - (a) The resource is owned jointly with members of the former household; and
  - (b) Availability of the resource depends on an agreement of the joint owner.

**CLARIFYING INFORMATION****1. Examples of Unavailable Resources**

- a. Property in probate;
- b. Trust funds described below; or
- c. Security, cleaning, damage or utility deposits.

**2. Trust funds**

- a. A trust fund is considered unavailable when:
  - (1) A household member cannot revoke the trust or change the beneficiary;
  - (2) The trustee administering the funds is not under the direction of a household member or is appointed by the court with court-imposed limitations on the use of the funds;
  - (3) The funds are used solely to make investments on behalf of the trust or pay for medical or educational expenses for a specific household member; and
  - (4) The investments made on behalf of the trust do not directly involve or assist any business or corporation under the control, direction, or influence of a household member.
- b. For more information about trusts for cash assistance and TANF-related medical see WAC 388-470-0050.
- c. For further information about Trusts as they relate to eligibility for medical programs, see WAC 388-505-0595.

**3. Cash Reserves**

Clients can use income received from cash assistance and income that was used to determine eligibility in order to build up their cash reserves. These cash reserves can exceed the resource limit up to thirty days from the receipt of the income.

**WORKER RESPONSIBILITIES**

Resources Possibly Available at a Later Time

Establish and record a definite date to review the availability later.